

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division**

**JANE DOE,**

**Plaintiff,**

**v.**

**THE UNIVERSITY OF VIRGINIA, et  
al.,**

**Defendants.**

**Case No. 3:23-cv-00018-RSB**

**MOTION TO DISMISS PURSUANT TO RULE 12(b)(6)**

Defendants, the Rector and Visitors of the University of Virginia, Emily Babb, and Akia Haynes, by counsel and pursuant to Federal Rule of Civil Procedure 12(b)(6), hereby move to dismiss Plaintiff Jane Doe's Amended Complaint (ECF No. 21) for failure to state a claim upon which relief may be granted. The reasons supporting this Motion are set forth in the accompanying Memorandum of Law.

Respectfully submitted,

**THE RECTOR AND VISTORS OF THE  
UNIVERSITY OF VIRGINIA, EMILY BABB,  
AKIA HAYNES**

By Counsel: /s/ Christopher P. Bernhardt

Christopher P. Bernhardt\* (VSB No. 80133)

Assistant Attorney General

Office of the Virginia Attorney General

202 North 9th Street

Richmond, Virginia 23219

Telephone: (804) 371-0977

Facsimile: (804) 371-2087

Email: cbernhardt@oag.state.va.us

Jason S. Miyares  
Attorney General of Virginia

Steven G. Popps  
Deputy Attorney General

Jacqueline C. Hedblom  
Senior Assistant Attorney General/ Trial Section Chief

Christopher P. Bernhardt\* (VSB No. 80133)  
Assistant Attorney General  
Office of the Virginia Attorney General  
202 North 9th Street  
Richmond, Virginia 23219  
Telephone: (804) 371-0977  
Facsimile: (804) 371-2087  
Email: cbernhardt@oag.state.va.us

Amy E. Hensley\* (VSB No. 80470)  
Associate University Counsel/Assistant Attorney General  
Madison Hall  
1827 University Avenue  
Charlottesville, Virginia 22904  
Telephone: (434) 924-3685  
Email: aehensley@virginia.edu  
*\*Counsel of Record*

### **CERTIFICATE OF SERVICE**

I hereby certify that on this 30th day of August, 2023, the foregoing was filed with the Clerk of Court using the CM/ECF system.

By: /s/ Christopher P. Bernhardt  
Christopher P. Bernhardt (VSB No. 80133)  
Assistant Attorney General  
Office of the Virginia Attorney General  
202 North 9th Street  
Richmond, Virginia 23219  
Telephone: (804) 371-0977  
Facsimile: (804) 371-2087  
Email: cbernhardt@oag.state.va.us